



09-05-06

JTW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/764,741	
	Filing Date	January 26, 2004	
	First Named Inventor	Michael Ehrhart	
	Art Unit	2876	
	Examiner Name	Thien Minh Le	
Total Number of Pages in This Submission	5	Attorney Docket Number	283-300 CON2

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  PTO/SB/08A (1 pg), PTO/SB/08B (1 pg.), Copies of References BA-BF, Return Mailroom Postcard and Certificate of Express Mailing.
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account No. <u>50-0289</u> .
Express Mail NO. EV676907030US		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Wall Marjama & Bilinski LLP George S. Blasiak	Reg. No. 37,283
Signature		
Date	September 1, 2006	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV676907030US addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 1, 2006.		
Typed or printed name	Susan L. Pagano	
Signature		Date September 1, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Mail Stop: Amendment, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EV676907030US

PATENT  
Express Mail Label No. EV676907030US  
Attorney Docket No.: 283-300CON2

On September 1, 2006

WALL MARJAMA & BILINSKI LLP

By:   
Susan L. Pagano

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael Ehrhart, et al.

Application No.: 10/764,741

Filed: January 26, 2004

For: Optical Reader Having a Color Imager

Examiner: Thien Minh Le

Art Unit: 2876

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Mail Stop: Amendment  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references BA-BF are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a



reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the submission of an information disclosure statement should not be considered as representation that a search has been made.

In column T<sup>6</sup> of the attached PTO 1449 form, "EN" is entered where the cited reference is in the English language, "AO" is entered where the reference is not in English but a translation of the Abstract only is included, and "FT" is entered where the reference is not in English but a full text English translation is included.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: September 1, 2006



George S. Blasiak  
Registration No. 37,283  
WALL MARJAMA & BILINSKI LLP  
101 South Salina Street  
Suite 400  
Syracuse, NY 13202  
315-425-9000  
315-425-9114 (FAX)

Customer No. 20874

GSB/sp



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

*(use as many sheets as necessary)*

**Complete if Known**

<b>Application Number</b>	10/764,741
<b>Filing Date</b>	January 26, 2004
<b>First Named Inventor</b>	Michael Ehrhart
<b>Art Unit</b>	2876
<b>Examiner Name</b>	Thien Minh Le
<b>Attorney Docket Number</b>	283-300 CON2

Sheet	1	of	2
-------	---	----	---

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **2** of **2****Complete if Known**

Application Number	10/764,741
Filing Date	January 26, 2004
First Named Inventor	Michael Ehrhart
Art Unit	2876
Examiner Name	Thien Minh Le
Attorney Docket Number	283-300 CON2

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	BA	EP	0498366	A3	08/12/1992	PHOTOGRAPHIC SCIENCES CORPORATION		EN
	BB	EP	0690403	A3	03/07/1996	SYMBOL TECHNOLOGIES, INC.		EN
	BC	EP	0917087	A1	05/19/1999	DATALOGIC S.P.A.		EN
	BD	WO	00/16241	A1	03/23/2000	POLAROID CORPORATION		EN
	BE	JP	200029362 2	A	10/20/2000	CANON INC.		AO
	BF	WO	01/46899	A3	06/28/2001	UNITED PARCEL SERVICE OF AMERICA, INC.		EN

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231